

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:
 Avi PEER et al.
 Serial No. 10/553,319
 IA Filing Date: April 15, 2004
 For: METHOD AND SYSTEM FOR USE IN OPTICAL ...

Atty's Dkt: -PEER2A

) Application Division
) ATTN: PCT
) Washington, D.C.
) Confirmation No. 1758
) Date: March 20, 2007

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
 Customer Service Window
 Randolph Building, Mail Stop Missing Parts
 401 Dulany Street
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTIFICATION OF INSUFFICIENT FEES UNDER 35 USC 371..." dated February 6, 2007. Attached hereto is/are:

- [XX] Late Surcharge (\$65.00)
 [XX] Additional fees as calculated below: (the search fee, \$50.00 at small entity has been paid)

| | | |
|---|------------------------|--------------|
| Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | \$ |
| Number of each additional 50 pages or fraction thereof (round up to a whole number) | RATE | |
| | X \$250.00 | |
| Number of Claims Previously Paid For | Number of Extra Claims | Rate |
| 60- 20 = | 40 | X \$ 50.00 |
| 14- 3 = | 11 | X \$200.00 |
| Multiple Dependent Claims (if applicable) | | + \$360.00 |
| TOTAL OF ABOVE CALCULATIONS | | \$4200.00 |
| Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27. | | <\$2100.00 > |
| SUBTOTAL | | \$2100.00 |
| Processing fee of \$130.00 for late furnishing of the English translation. | | \$ |
| TOTAL NATIONAL FEE | | \$2100.00 |

- [] Surcharge for late filing of the Declaration was paid on _____.
 [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity
 Response Filed Within
 [] First - \$ 60.00
 [] Second - \$ 225.00
 [] Third - \$ 510.00
 [] Fourth - \$ 795.00
 [] Fifth - \$1,080.00

month after time period set

Other Than Small Entity
 Response Filed Within
 [] First - \$ 120.00
 [] Second - \$ 450.00
 [] Third - \$1,020.00
 [] Fourth - \$1,590.00
 [] Fifth - \$2,160.00

month after time period set

[XX] Total fees enclosed: \$2165.00

[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$2165.00 is enclosed to cover the above fees.

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

03/23/2007 LLANDGRA 00000020 10553319

01 FC:2615 1000.00 OP
 02 FC:2614 1100.00 OP
 03 FC:2617 65.00 OP

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 Attorneys for Applicant(s)

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SN:dac

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UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 20 2007

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.

10/553,319

FIRST NAMED APPLICANT

Avi Peer

ATTY. DOCKET NO.

PEER2A

INTERNATIONAL APPLICATION NO.

PCT/IL04/00328

I.A. FILING DATE

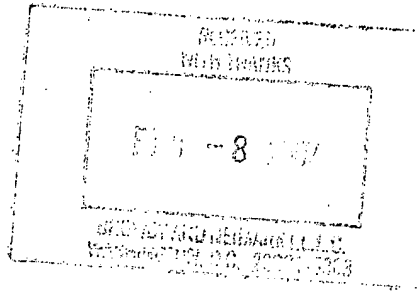
04/15/2004

PRIORITY DATE

04/15/2003

1444

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 WASHINGTON, DC 20001-5303



CONFIRMATION NO. 1758

371 FORMALITIES LETTER



OC000000022347886

Date Mailed: 02/06/2007

Notification of Insufficient Fees (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/17/2005
- Copy of the International Search Report filed on 10/17/2005
- Copy of IPE Report filed on 02/05/2007
- Information Disclosure Statements filed on 01/17/2006
- Oath or Declaration filed on 10/17/2005
- Small Entity Statement filed on 10/17/2005
- Request for Immediate Examination filed on 10/17/2005
- U.S. Basic National Fees filed on 10/17/2005
- Priority Documents filed on 02/07/2007
- Power of Attorney filed on 10/17/2005
- Specification filed on 10/17/2005
- Claims filed on 10/17/2005
- Abstracts filed on 10/17/2005
- Drawings filed on 10/17/2005

MSP: DLAP2007.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$2100 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$2215** for a Small Entity:

- **\$65 Surcharge.**
- The application search fee has not been paid. Applicant must submit **\$50** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- Total additional claim fee(s) for this application is **\$ 2100**
 - **\$1100** for **11** independent claims over 3.
 - **\$1000** for **40** total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/553,319 | PCT/IL04/00328 | PEER2A |